

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LYNN DALE HOVER AND MILA JEAN
HOVER,

Plaintiffs,

v.

SEATTLE FIRST NATIONAL BANK, *et*
al.,

Defendants.

CASE NO. C18-0022-JCC

ORDER

This matter comes before the Court on Plaintiffs' objections and motion to alter/amend the Court's order of dismissal (Dkt. No. 27). Having thoroughly considered the briefing and the relevant record, the Court finds oral argument unnecessary and hereby DENIES the motion for the reasons explained herein.

On April 6, 2018, the Court granted Defendants Nationstar Mortgage, LLC's ("Nationstar"), Mortgage Electronic Registration Systems, Inc. ("MERS"), and Federal National Mortgage Association's ("Fannie Mae") motion to dismiss. (Dkt. No. 26.) Plaintiffs' filed the present motion on May 2, 2018, objecting to the Court's ruling pursuant to Federal Rule of Civil Procedure 46 and moving to amend judgment pursuant to Rule 59(e). (Dkt. No. 27 at 3.) Rule

59(e) provides no recourse to Plaintiffs, as no judgment has issued in this matter.¹ The Court construes Plaintiffs' objections under Rule 46 as a motion for reconsideration. Such motions are disfavored and must be filed within 14 days of the posting of an order. *See* W.D. Wash. Local Civ. R. 7(h). Plaintiffs filed their objections 28 days after the posting of the Court's order of dismissal. The motion is therefore untimely.²

For the foregoing reasons, Plaintiffs' motion to alter or amend the Court's order of dismissal (Dkt. No. 27) is DENIED.

DATED this 4th day of June 2018.

A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE

¹ The challenged order dismissed claims against only three of seven named defendants. (Dkt. No. 26.)

² Plaintiffs' motion also fails on the merits. They establish no manifest error of law, new evidence, manifest injustice, or change in the law that could support amendment or reconsideration of the Court's decision. *See Allstate Ins. Co. v. Herron*, 634 F.3d 1101, 1111 (9th Cir. 2011) (stating standard for Rule 59(e) motion); W.D. Wash. Local Civ. R. 7(h)(1).